UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TEXAS MARSHALL DIVISION

AGERE SYSTEMS, INC.

Plaintiff

Plaintiff

Civil File No. 2:06-CV-00079-CE

V.

Jury Trial Requested

SONY CORPORATION, SONY COMPUTER

ENTERTAINMENT INC., SONY

COMPUTER ENTERTAINMENT AMERICA

INC., AND SONY ELECTRONICS INC.

Defendants

S

Defendants

JOINT MOTION TO DISMISS

NOW COMES the Plaintiff Agere Systems, Inc. ("Agere") and Defendants Sony Corporation, Sony Computer Entertainment Inc., Sony Computer Entertainment America, Inc. and Sony Electronics, Inc. ("Sony") and respectfully move the Court to dismiss all causes of action between them, and in support thereof would respectfully show the Court as follows:

All matters in controversy between Agere and Sony have been settled and compromised, and these parties therefore jointly move to dismiss all causes of action asserted or which could have been asserted in this suit, with prejudice to the right to pursue any such claims in the future. These parties further move that all costs of court be assessed against the party who incurred them.

WHEREFORE, PREMISES CONSIDERED, these parties jointly pray that this action be dismissed with prejudice, with all costs of court being assessed against the party who incurred them.

Dated: January 5, 2009

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served this 5th day of January, 2009, with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3). Any other counsel of record will be served by electronic mail, facsimile transmission and/or first class mail on this same date.

/s/ S. Calvin Capshaw
S. Calvin Capshaw